

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ANTHONY RUSHMAN,

Plaintiff,

vs.

BNSF RAILWAY COMPANY, a  
Delaware Corporation, and  
RAILCREW XPRESS, LLC, a  
Delaware Limited Liability Company,

Defendants and  
Third-Party  
Plaintiffs,

vs.

SERGIO TINAJERO,

Third-Party  
Defendant.

4:24-CV-3051

ORDER

Plaintiff Anthony Rushman and Defendants BNSF and Railcrew Xpress have filed a stipulation purporting to dismiss, with prejudice, "the claims of Plaintiff against Defendants." Filing 40. The stipulation does not expressly address whether, or how, the Court is also meant to dispose of the claims of BNSF and Railcrew Xpress as third-party plaintiffs against third-party defendant Sergio Tinajero. Accordingly,

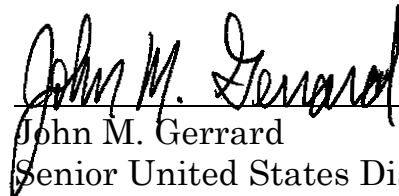
IT IS ORDERED:

1. The parties' stipulation of dismissal with prejudice (filing 40) is denied.

2. On or before March 25, 2025, the parties shall file a revised stipulation expressly addressing the intended disposition of the plaintiff's claims against each defendant and each third-party plaintiff's claims against the third-party defendant.
3. The Clerk of the Court shall set a dismissal papers deadline for March 25, 2025.

Dated this 18th day of March, 2025.

BY THE COURT:

  
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John M. Gerrard  
Senior United States District Judge